

pose of this Act; repealing all laws in conflict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,
Austin, Texas, Nov. 5, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 19, A bill to be entitled "An Act ratifying, confirming and validating all acts of county boards of trustees in laying out or attempting to establish, combine, abolish or change any independent or common school district under the provisions of Chapter 339, Acts Regular Session, Forty-fourth Legislature, 1935, or under Chapter 151, Acts Regular Session, Forty-fourth Legislature, 1935, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

COTTEN, Chairman.

Committee Room,
Austin, Texas, Nov. 6, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 72, A bill to be entitled "An Act authorizing the commissioners' courts in certain counties to allow each county commissioner certain expenses for traveling in connection with official business; providing the funds; providing for filing of itemized accounts, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NEAL, Vice-Chairman.

Committee Room,
Austin, Texas, Nov. 4, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 21, A bill to be entitled "An Act amending Article 2031, Revised Civil Statutes of 1925, and providing means and method of securing service of process on foreign corporations, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

BLACKERT, Vice-Chairman.

Committee Room,
Austin, Texas, Nov. 6, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Mining and Irrigation, to whom was referred H. B. No. 69

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Vice-Chairman.

Committee Room,
Austin, Texas, Nov. 6, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 98, A bill to be entitled "An Act creating a Special Road Law for Robertson County, Texas, providing that said county may fund or refund the indebtedness outstanding against its road and bridge fund as of August 12, 1935, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

ELEVENTH DAY.

Senate Chamber,
Austin, Texas,
November 7, 1935.
The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.
The roll call disclosed a quorum,

the following Senators being present:

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Nelson.	

Absent—Excused.

DeBerry. Fellbaum.

Prayer by Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Martin.

Committee Reports.

(See Appendix.)

Minutes of Committee Meeting.

(See Appendix.)

Senator Excused.

Senator DeBerry was excused for the day on account of sickness, on motion of Senator Blackert.

Senate Bill No. 22.

By Senator Martin:

S. B. No. 22, A bill to be entitled "An Act validating the acts of cities, towns, and villages in attempting to adopt the provisions of cities and towns under authority of Article 961, Revised Civil Statutes of 1925, and validating acts thereafter taken by such cities, towns and villages, with provision that this Act shall not apply in instances wherein the validity of the adoption of such powers is in litigation at the time this Act becomes effective, repealing all laws in conflict herewith, and declaring an emergency."

Read and referred to the Committee on Towns and City Corporations.

Message From the House.

The Chair recognized the Door-keeper, who introduced a messenger

from the House with the following message:

Hall of the House of Representatives,
Austin, Texas No. 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to House Bill No. 72 and requests the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

Lindsey, Palmer, Smith, Sessions, Jones or Wise.

The House has passed the following bill:

S. B. No. 21, A bill to be entitled "An Act amending Article 2031, Revised Civil Statutes of 1925, and providing a means and method of securing service of process on foreign corporations, and declaring an emergency."

The House has passed the following bill and resolution:

H. B. No. 77, A bill to be entitled "An Act defining the term 'open saloon'; creating a Board of Liquor Control; prescribing rules and regulations, and regulating the manufacture, sale, importation, transportation, and possession of alcoholic liquors; providing for the right of local option; etc., and declaring an emergency."

(With engrossed riders.)

H. C. R. 16, Inviting the Governors and citizens of various states to participate in the Texas Centennial.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 23.

By Senator Nelson:

S. B. No. 23, A bill to be entitled "An Act validating an election held under the provisions of Chapter 339, Acts Regular Session, Forty-fourth Legislature, transferring certain lands from the Badgett Common School District No. 4 in Martin County, Texas, to Courtney Independent School District No. 5, Martin County, Texas, and declaring an emergency."

Read and referred to the Committee on Education.

Bill and Resolution Referred.

H. B. No. 77 was referred to the Committee on State Affairs.

H. C. R. No. 16 was referred to the Committee on State Affairs.

Bill and Resolutions Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bill and resolutions.

H. C. R. No. 7. S. B. No. 21.
H. C. R. No. 8. S. C. R. No. 9.
H. C. R. No. 14.

House Bill No. 72.

Senator Collie moved that the Senate grant the request of the House for the appointment of a conference committee on H. B. No. 72.

The motion prevailed by viva voce vote.

Conference Committee Appointed.

The Chair appointed the following conferees on the part of the Senate on H. B. No. 72:

Senators Collie, Woodruff, Burns, Davis and Sanderford.

S. C. R. No. 11.

Inviting the Governors and citizens of New Mexico, Arizona, California, Nevada, Utah, Wyoming, Colorado, Kansas and Oklahoma to participate in the Texas 1936 Centennial celebration and erect buildings at Centennial centers and place exhibits therein.

Whereas, The State of Texas in 1936 will celebrate the One Hundredth Anniversary of its Independence; and

Whereas, At the time Texas won her independence, all the territory of Texas, New Mexico, Arizona, California, Nevada, Utah, and a part of the territory of Wyoming, Colorado, Kansas and Oklahoma, were claimed by Mexico; and

Whereas, The victory at San Jacinto directly won for the American Union the State of Texas, and indirectly aided in winning for the Union the territory of the foregoing named States; Now therefore be it

Resolved, That the Senate of Texas of the Forty-fourth Legisla-

ture at its Second Called Session, the House of Representatives concurring, that an invitation be sent to each of the Governors of the foregoing named States inviting the said Governors and the citizens of said States to visit our State in 1936 and participate in our celebration, and if they desire to do so, that they be invited to erect buildings at the Centennial centers and place such exhibits therein as they deem proper.

SANDERFORD,
DAVIS.

Read and referred to the Committee on Federal Relations.

Senate Bill No. 24.

Senator Small received unanimous consent to send up the following bill:

By Senator Small:

S. B. No. 24, A bill to be entitled "An Act providing that wherever a person has died or may die, testate, owning property in Texas, and such person's will has been or may be admitted to probate by the County Court, and such probated will names an independent executor, or executors, and/or trustees to execute the terms and provisions of the will, or provides that no other action shall be had in the courts of Texas in reference to the settlement of the estate than the probating and recording of the will and the return of an inventory, appraisement and list of claims of the estate dealt with in the will, or contains language of similar import, and such independent executor, or executors, and/or trustees have died or shall die leaving unexecuted parts or portions of the will of the testator, and an administrator de bonis non, with the will annexed, is appointed by the County Court having jurisdiction of such estate, and an administrator's bond is filed and approved, then in all such cases, the County Court may, upon application, notice and hearing, in addition to the powers conferred upon such administrator under other provisions of the laws of Texas, authorize, direct and empower such administrator to borrow such sums of money and incur such obligations and debts as the court may direct, and renew and extend the same from time to time, upon

application and order of the court, etc., and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Message From the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor, with the following message:

Executive Office,

Austin, Texas, Nov. 7, 1935.

To the Members of the Forty-fourth Legislature, In Second Called Session:

I hereby submit to you for consideration the following specific matters, which I trust may be disposed of in night sessions:

1.

A bill by Good and others to create the Sulphur River Conservation and Reclamation District, with no remission of taxes and no appropriation.

2.

A local bill by Gibson and Latham validating election proceedings, with particular reference to Gladewater, Gregg County.

3.

A local validation act to provide for fresh water supply districts, by Stinson.

4.

A local bill by Spears to change the terms of district court in Bexar County.

5.

A bill by Lindsey to validate ad valorem tax levies in incorporated cities and towns.

6.

A public works eminent domain law. This was submitted during the closing days of the First Called Session.

7.

A bill by Spears to increase the powers of the City of San Antonio so that it can qualify for the Public Works Administration law issuing bonds payable out of the revenues from the improvements secured.

8.

A bill by Clayton, Hankamer and Jackson to authorize the City of El Paso to qualify for Public Works Administration loan.

9.

A bill by Latham and Gibson and Hale providing for optional additional methods of selecting jury panels in counties having two or more district courts and not having a jury wheel system.

10.

A bill by Small and Worley authorizing administrators of estates under certain conditions to pledge, with the approval of the court, the assets of such estates as security for necessary loans.

11.

A bill by Mauritz to correct and clarify certain provisions of House Bill 373, Acts of the Forty-fourth Legislature.

I do not wish to open up the general subject of appropriations, but I deem it absolutely imperative to submit the following specific appropriations with the express request that you do not consider any other appropriations than those submitted, since I would feel constrained to veto any other appropriations.

1.

A bill by Thornton and Holbrook to correct the appropriation made during the regular session in Chapter 352 making appropriation of \$75,000.00 for the remodeling and re-equipping of the crippled children's hospital building at Galveston, by providing that such \$75,000.00 instead of being used for the repair of the present building be applied on a new building, together with an additional appropriation of \$35,000.00.

The fact of the matter is the present building is not worth repairing, and to spend \$75,000.00 upon it would be a waste whereas by adding \$35,000.00 to same we can secure an outright grant of \$90,000.00 from the Federal Government for the building of a permanent, worth while hospital unit to replace the present building.

2.

An appropriation of \$50,000.00 for the State Parks Board for the purchase of materials to be used in State parks.

This item was submitted during the First Called Session, passed the Senate but failed to muster the four-fifths necessary for suspension in the House. It is my judgment that this appropriation is highly important. The Federal Government has already definitely allocated over two million dollars to be expended through the director of the National Youth Administrator for labor in the State parks. The only requirement from the State is that we appropriate not exceeding \$50,000.00 for the purchase of materials. It will result in permanent improvement of our parks, our highways, and our schools.

It will put thousands of young men and young women to work.

We can't afford to pass up this investment.

3.

A bill by McKinney to appropriate not exceeding \$15,000.00 to the State Penitentiary System to cure discrepancies in the salaries provided in the general appropriation during the regular session.

Respectfully submitted,
JAMES V. ALLRED,
Governor of Texas.

House Bill No. 46.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Frazer:

H. B. No. 46, A bill to be entitled "An Act levying and imposing occupation taxes, in addition to those now prescribed by law on certain industries and public utilities; and natural resources, such as gas, sulphur and oil; providing for certain exemptions and defining terms used in the Act; taxes on soft drinks, etc., and declaring an emergency." (With committee amendments.)

Committee Amendment No. 1.

Amend H. B. No. 46 by striking out the word "Electric" in Section 6.

Read.

Amend Committee Amendment No. 1 by striking out the word "electric," and inserting in lieu thereof "or electric."

DAVIS,

Read and adopted.

Committee amendment as amended was adopted by viva voce vote.

Committee Amendment No. 2.

Amend H. B. No. 46 by striking out the word "truck" in the third line of Section 6, page 7.

Read and adopted.

Committee Amendment No. 3.

Amend H. B. No. 46, page 7, Section 6, by adding after the word "bus," in line 3 of said Section, the words "except buses operated wholly within the city limits of incorporated cities."

Read.

Amend Committee Amendment No. 3 by adding after the word "limits," the words "and/or suburbs."

HOPKINS.

Read and adopted by the following vote:

Yeas—18.

Beck.	Moore.
Blackert.	Neal.
Burns.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Martin.	Van Zandt.

Nays—9.

Hill.	Poage.
Isbell.	Sulak.
Nelson.	Westerfeld.
Oneal.	Woodruff.
Pace.	

Absent.

Collie.	Stone.
---------	--------

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

Committee Amendment No. 3 as amended was adopted by viva voce vote.

Committee Amendment No. 4.

Amending House Bill 46, Section 7, page 8, by striking out Section 7, and rewriting the section as follows: viz:

"Every person, firm, corporation or association of persons manufacturing, distributing or selling malt syrup or malt extract within this State shall pay to the State a tax of Twenty-five cents (25c) per pound on all malt syrup or malt extract, whether or not same is flavored with hops or any similar flavor, sold, bartered, given away or exchanged; provided, however, nothing herein shall be construed to mean that said tax shall be levied on materials used in the manufacture of beer by any person licensed as a brewer or manufacturer of beer under the laws of this State, or in the manufacture of bakery products. The tax hereby imposed shall be paid and the stamps hereinafter provided for shall be affixed or attached by the person first having possession or ownership of such malt syrup or malt extract after same shall have come to rest in this State, unless such stamps shall have been affixed or attached by the manufacturer or distributor, and such stamps shall be affixed or attached to every container of malt syrup or malt extract which is intended to be distributed, sold or given away in this State. The tax hereby imposed shall be paid by the purchase of stamps from the State Treasurer of such design and denomination as shall be prescribed by him and the sum of Five Hundred Dollars (\$500) is hereby appropriated to the State Treasurer for the purpose of procuring the stamps herein authorized. It shall be the duty of each dealer, distributor or manufacturer to affix to each container of such malt syrup or malt extract a stamp or stamps so purchased from and furnished by the State Treasurer, which stamp or stamps shall be in the amount of the tax on the contents thereof. Such stamp or stamps shall be affixed to such container before it is sold, delivered or given away to the consumer or purchaser and the person making the sale to the purchaser or consumer shall cancel said stamp or stamps. The State Treasurer shall enforce the tax herein levied in like manner and with like authority as is

conferred upon him by the provisions of Chapter 116, Acts of the Regular Session, Forty-third Legislature. It shall be unlawful for any person to sell, offer for sale, possess for the purpose of sale, barter or exchange any such malt syrup or malt extract without having first affixed thereto or thereon the stamp or stamps required by this Act. Any person violating the provisions of this Section shall be punishable by a fine of not less than Fifty Dollars (\$50) nor more than Five Hundred Dollars (\$500).

Read.

Senator Woodruff sent up the following amendment to Committee Amendment No. 4:

Amend H. B. No. 46 by adding after the word "products" in line 12, page 11, Committee Amendment No. 4, the following, striking out the period and inserting a comma:

"or in the manufacture of vinegar, textiles and/or malted milk products."

WOODRUFF.

Read and adopted.

Committee Amendment No. 4, as amended, was adopted by viva voce vote.

Committee Amendment No. 5.

Amend H. B. No. 46, Section 2, page 4, by inserting the words "and more than 2500 inhabitants" immediately after the words "ten thousand (10,000) inhabitants."

Read.

Motion to Table.

Senator Oneal moved to table Committee Amendment No. 5.

The motion to table was lost by the following vote:

Yeas—10.

Blackert.	Pace.
Cotten.	Poage.
Hill.	Redditt.
Nelson.	Westerfeld.
Oneal.	Woodruff.

Nays—15.

Beck.	Moore.
Collie.	Neal.
Davis.	Rawlings.
Holbrook.	Regan.
Hornsby.	Sanderford.
Martin.	Shivers.

Small.
Sulak.

Van Zandt.

(Pairs Recorded.)

Senator Burns (present) who would vote yea, with Senator Fellbaum (absent) who would vote nay.

Senator Hopkins (present) who would vote Nay, with Senator DeBerry (absent) who would vote yea.

Senator Isbell (present) who would vote yea, with Senator Stone (absent) who would vote nay.

Committee Amendment No. 5 was adopted by the following vote:

Yeas—15.

Beck.	Rawlings.
Collie.	Regan.
Davis.	Sanderford.
Holbrook.	Shivers.
Hornsby.	Small.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	

Nays—11.

Blackert.	Pace.
Cotten.	Poage.
Hill.	Redditt.
Isbell.	Westerfeld.
Nelson.	Woodruff.
Oneal.	

Absent.

Stone.

(Pairs Recorded.)

Senator Burns (present) who would vote nay, with Senator Fellbaum (absent) who would vote yea.

Senator Hopkins (present) who would vote yea, with Senator DeBerry (absent) who would vote nay.

Bills Signed.

The Chair, President Pro Tem. W. R. Poage, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 67.	H. B. No. 93.
H. B. No. 69.	H. B. No. 98.

Motion to Recess.

Senator Holbrook at 12:02 o'clock p. m., moved that the Senate recess until 2:00 o'clock p. m.

Motion pending.

Senate Bill No. 25.

By Senator Hill.

S. B. No. 25, A bill to be entitled "An Act authorizing the selection and the summoning of a general jury panel for jury service in the District and County Courts in counties of Texas wherein two (2) or more District Courts are situated and maintained; defining District Courts within the meaning of the Act; authorizing the Judges of the District and County Courts in any such county to meet together at stated intervals and determine the number of jurors necessary for jury service for all District and County Courts during a period of two (2) months or as many weeks in advance as they decide upon; providing that such Judges shall appoint a presiding Judge, who shall appoint a Jury Commission to select the jurors who shall be summoned by the sheriff to appear before the presiding Judge for the week for which they have been selected; providing for the summoning of additional jurors in cases of emergency; providing that the general jury panel, when properly summoned and sworn in shall constitute a general panel for all District and County Courts, and may be used interchangeably in all of said courts; providing that any court in need of a jury shall make his request known to the presiding Judge and such jury shall be furnished from the general panel; providing that any party to a suit or his attorney of record may have a requested jury drawn from the panel, or from any number remaining thereon, and providing for the method of drawing the same; providing that the commissioners court shall supply a convenient room in or near the court house for the general panel and that the Sheriff shall assign a deputy to have custody and control of such jurors; providing that such Act shall be cumulative in such counties; providing that if any section or paragraph of the Act shall be declared unconstitutional it shall not affect the balance, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Recess.

The pending motion to recess prevailed by viva voce vote.

After Recess.

The Senate met at 2 o'clock p. m. pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

House Bill No. 46.

Pending business was H. B. No. 46.

Committee Amendment No. 6.

Amend H. B. No. 46 by striking out Section 15 of said bill.
Read and adopted.

Committee Amendment No. 7.

Amend H. B. No. 46 by striking out the period at the end of the second sentence in Section 3 and adding thereto the following:

"received from business done as aforesaid in cities and towns above 10,000 population according to the last United States census next preceding the filing of said report and an amount equal to one-fourth of one per cent of the gross receipts received from business done as aforesaid in cities and towns having a population of 2500 to and including 10,000 according to the last United States census next preceding the filing of said report."

Read and adopted.

Committee Amendment No. 8.

Amend H. B. No. 46 by striking out Section 4 of said bill.
Read and adopted.

Committee Amendment No. 9.

Amend H. B. No. 46 by striking out Section 5 of said bill.
Read.

Committee Amendment No. 9 was adopted by the following vote:

Yeas—15.

Beck.	Oneal.
Davis.	Rawlings.
Hill.	Regan.
Holbrook.	Sanderford.
Hornsby.	Shivers.
Martin.	Small.
Moore.	Woodruff.
Neal.	

Nays—9.

Burns.	Cotten.
Collie.	Isbell.

Pace.
Poage.
Redditt.

Sufak.
Van Zandt.

Present—Not Voting.

Blackert.

Nelson.

Absent.

Hopkins.
Stone.

Westerfeld.

Absent—Excused.

DeBerry.

Fellbaum.

Committee Amendment No. 10.

Amend H. B. No. 46 by striking out Section 13b of said bill.
Read and adopted.

Committee Amendment No. 11.

Amend H. B. No. 46 by striking out Section 4a of said bill.
Read.

Motion to Table.

Senator Burns moved to table Committee Amendment No. 11.

The motion to table prevailed by the following vote:

Yeas—15.

Beck.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Sufak.
Davis.	Van Zandt.
Hill.	Westerfeld.
Isbell.	Woodruff.
Nelson.	

Nays—11.

Holbrook.	Rawlings.
Hopkins.	Redditt.
Hornsby.	Regan.
Martin.	Shivers.
Moore.	Small.
Neal.	

Present—Not Voting.

Blackert.

Absent.

Stone.

Absent—Excused.

DeBerry.

(Pair Recorded.)

Senator Sanderford (present) who would vote yea, with Senator Fellbaum (absent) who would vote nay.

Committee Amendment No. 12.

Amend H. B. No. 46 by striking out Section 14 of said bill.

Read.

Motion to Table.

Senator Oneal moved to table Committee Amendment No. 12.

The motion prevailed by the following vote:

Yeas—20.

Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Redditt.
Davis.	Sanderford.
Hill.	Shivers.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Neal.	Westerfeld.
Nelson.	Woodruff.

Nays—8.

Beck.	Moore.
Holbrook.	Rawlings.
Hopkins.	Regan.
Martin.	Small.

Absent—Excused.

DeBerry.	Stone.
Fellbaum.	

Committee Amendment No. 13.

Amendment to H. B. No. 46.

A proposal to amend H. B. No. 46, Section 11a thereof, sub-Section 2, by adding in lieu thereof the following:

Tax—Each individual, firm, club, copartnership, association, company or corporation, which conducts any fistie combat, boxing, sparring or wrestling match, contest or exhibition wherein the contestants or participants receive a money remuneration, purse or prize equivalent for their performances or services in same, and/or where an admission fee is charged or received, shall furnish to the Commissioner of Labor Statistics at Austin, Texas, within forty-eight (48) hours after the termination of such match, contest or exhibition, a duly verified report thereof showing the number of tickets sold, the various prices received therefor, and the amount of gross receipts for the total number of tickets sold therefor, and at the

same time shall attach to the Commissioner of Labor's report legal tender or make proper form of money order or exchange payable to the State Treasurer in the amount of tax for six percentum (6%) of the total gross receipts from the sale of tickets of admission to such contest, which tax shall be deposited to the credit of the "Boxing and Wrestling Enforcement Fund." No other fee or tax either general or local, than as herein provided, shall be assessed against or levied upon any such match, contest or exhibition, contestant or manager, or promoter thereof.

Section 6 of the Boxing and Wrestling Law of the State of Texas, Acts of the Regular Session of the Forty-third Legislature, Chapter 241, page 843, as amended at the Second Called Session of the Forty-third Legislature, effected May 29, 1934, is hereby in all things repealed.

Committee Amendment No. 13 was laid on the table subject to call on motion of Senator Moore.

Committee Amendment No. 14.

Amend H. B. No. 46 by striking out Section 8d of said bill.

Motion to Table.

Senator Burns moved to table Committee Amendment No. 14.

The motion lost by the following vote:

Yeas—8.

Burns.	Poage.
Cotten.	Redditt.
Oneal.	Shivers.
Pace.	Woodruff.

Nays—20.

Beck.	Moore.
Blackert.	Neal.
Collie.	Rawlings.
Davis.	Regan.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Martin.	

Present—Not Voting.

Nelson.

Absent—Excused.

DeBerry.

(Pair Recorded.)

Senator Sanderford (present) who would vote yea, with Senator Fellbaum (absent) who would vote nay.

Committee Amendment No. 14 was adopted by viva voce vote.

Committee Amendment No. 13.

Senator Cotten called from the table Committee Amendment No. 13 and sent up the following substitute:

Amend H. B. No. 46 by striking out the following in sub-Section 2 of Section 11: "Ten (10)" and insert in lieu thereof the following "Three (3)."

COTTEN.

Read.
Pending.

Committee Amendment No. 13 and pending substitute was laid on the table subject to call.

Message From the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger from the Governor with the following message:

Executive Office,
Austin, Texas, Nov. 7, 1935.
To the Members of the Forty-fourth Legislature, In Second Called Session:

I am submitting the following particular subject matters for your consideration:

1.

A bill to authorize an advance of \$200,000.00 to the Brazos River Conservation and Reclamation District, to be repaid to the State out of the first proceeds of the bonds sold by such district.

This bill has been signed by 26 members of the Senate and over one hundred members of the House.

2.

House Bill by Cowley dealing with a common school district in Hill County.

Respectfully submitted,
JAMES V. ALLRED,
Governor of Texas.

Read.

S. C. R. No. 12.

Senator Poage received unanimous consent to suspend the regular order of business and sent up the following resolution:

Whereas, The Governor has this day submitted the question of making available to the Brazos River Conservation and Reclamation District Two Hundred Thousand (\$200,000.00) Dollars of the moneys heretofore granted to said district, same to be repaid to the State out of the first moneys coming into the treasury of the district; and

Whereas, It is necessary that such moneys be made immediately available to enable the district to proceed with the necessary preliminary work, and to secure the maximum Federal aid;

Now Therefore Be It Resolved By the Senate of Texas, the House of Representatives concurring, That both the House and Senate suspend joint rules Nos. 22 and 23, and said rules and all other necessary rules are hereby suspended, so as to allow both House and Senate to consider on this Thursday the measure aforementioned, and the bills in each House introduced pursuant to such submission.

POAGE.

Senator Poage asked unanimous consent to suspend the Senate rule requiring resolutions be referred to a committee.

Unanimous consent was granted.

S. C. R. No. 12 was adopted by the following vote:

Yeas—27.

Beck.	Oneal.
Blackert.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Nelson.	

Nays—2.

Burns.

Pace.

Absent—Excused.

DeBerry.

Fellbaum.

House Bill No. 46.

Committee Amendment No. 15.

Amend Section 16, sub-Section (b), paragraph 3, page 20, line 23, by striking out the words and figures "ten cents (10c)" and substituting in lieu thereof the words and figures "two cents (2c)"; and line 26, by striking out the words and figures "twenty cents (20c)" and substituting in lieu thereof the words and figures "five cents (5c)."

Amend H. B. No. 46 by substituting the following for Committee Amendment No. 15, strike out the words and figures "ten (10)" and "twenty (20)" and substituting in lieu thereof: "five (5)" and "ten (10)."

ONEAL.

Read.

On motion of Senator Small Amendment No. 15 and pending substitute was laid on the table subject to call.

Committee Amendment No. 13.

Senator Cotten called up Committee Amendment No. 13 and pending Cotten substitute.

Senator Cotten sent up the following substitute for his pending substitute.

Amend H. B. No. 46, Section 11, sub-division 2, by striking out the words and figures the following: "Ten (10) Cents" and insert in lieu thereof the following: "Thirty-three and One-third Cents (33 $\frac{1}{3}$)"

COTTEN.

Read and adopted.

Committee Amendment No. 13 as substituted was adopted by viva voce vote.

Senate Bill No. 26.

Senator Holbrook was recognized and received unanimous consent to suspend the regular order of business and send up the following bill:

By Senator Holbrook:

S. B. No. 26, A bill to be entitled "An Act providing that the Board of Insurance Commissioners shall re-

quire any corporation, person, firm, association, local mutual aid association, or any local organization, company or organization to have a permit or certificate of authority in order to carry on any insurance business; providing that the Commissioner of Insurance shall make known to the Attorney General of the State of Texas any violation of this Act, said Attorney General to institute proceedings to restrain those named from writing any insurance of any kind or character without such permit or exemption certificate, etc.; providing a saving clause, and declaring an emergency."

Read and referred to the Committee on Insurance.

Message From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, Nov. 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

S. C. R. No. 12, Suspending rules 22 and 23 of the Joint Rules of the House and Senate for the purpose of allowing the consideration of a bill (submitted today by the Governor) pertaining to the Brazos River Conservation District.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Resolution Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following resolution:

S. C. R. No. 12.

House Bill No. 46.

Committee Amendment No. 16.

Amend H. B. No. 46 by striking out Section 10, paragraphs (a), (b), and (c) thereof, and substituting in lieu thereof the following:

The Subsection 5 of Section 1, Chapter 10, Acts of the First Called Session of the Forty-third Legislature, unnumbered paragraphs 9, 10, 11, and 12, pages 38 and 39, Acts of the First Called Session, 1933, be

so amended as hereafter to be and read as follows:

"The license issued shall expressly provide that the license shall, in addition to the license fees paid, remit to the Treasurer of the State of Texas, through the State Comptroller, at the end of each race meeting such amounts as may be hereinafter provided received as commission or compensation by the licensee, as authorized by this Act. This fund, when received by the Treasurer, shall be held by him and credited as a Special Racing Fund.

"The expenses incurred and authorized by virtue of this Act, shall be payable out of the Special Racing Fund, not otherwise, and so much thereof as may be necessary is hereby appropriated and all amounts shall be paid upon accounts approved by the Chairman of the Racing Commission and warrants drawn against said fund by the Comptroller on the State Treasurer.

"The Treasurer of the State of Texas, in December of each year, shall make a complete statement of the amount he has received within the calendar year under the provisions of this Act. After there shall have been charged against this fund the theretofore paid out operating expenses of the Racing Commission in that year as herein authorized, and the additional amount which the Racing Commission shall estimate as being required to be paid out in that year, and, in addition thereto, such amount as the said Racing Commission shall estimate as the expenses for the operating of the Commission for the next succeeding calendar year, the amount then remaining in this fund shall be held for and disbursed thus, viz:

"After providing for the operating expenses of the Racing Commission as aforesaid, an amount equal to twenty-five (25) per cent of the funds remaining in the Special Racing Fund shall by the Treasurer of the State of Texas be paid into and credited to the available Public Free School Fund of the State as provided by the Constitution of the State of Texas. An amount equal to twenty (20) per cent of the funds then remaining in the Special Racing Fund shall be used by the Board of Control of the State of Texas to purchase, transport, and

deliver for distribution well-bred and approved stallions and jacks throughout the State of Texas, and, in connection therewith, defray the actual reasonable expense incident to the purchase, transportation and maintenance of such animals, in order thereby to promote the breeding of better livestock in the State of Texas. After deducting from said Special Racing Fund the operating expenses of the Racing Commission as aforesaid, and after deducting from said Special Racing Fund the said twenty-five (25) per cent going to the available Public Free School Fund and after deducting the said twenty (20) per cent to be so used by the Board of Control of the State of Texas as aforesaid, the balance remaining in said Special Racing Fund, so far as it may be required, shall be used for the payment of the appropriations by the Legislature for the support and maintenance of the State Department of Agriculture as said appropriations for that Department shall be fixed and allowed by the Legislature of the State of Texas from time to time. It is further provided that any excess left in the Special Racing Fund shall be by the State Treasurer transferred to and become a part of the "Texas Old Age Assistance Fund" provided for in Section 1 of this House Bill No. 46.

"The licensee shall keep an accurate record of all receipts and disbursements during any racing meet authorized by the Texas Racing Commission to be conducted by said licensee, which books and records shall at all reasonable times be open to inspection of the Comptroller of Public Accounts of the State of Texas, and to the Texas Racing Commission or its duly qualified agents; and at the close of each racing meet held by such licensee, he shall remit to the Treasurer of the State of Texas through the Texas Racing Commission as follows: Where the pari mutuel turnover is not more than One Hundred Thousand Dollars (\$100,000.00), one-fourth ($\frac{1}{4}$) of the ten (10) per cent deducted by such licensee from the contributions of purchasers of certificates on horses to run first, second, and/or third in any given race; and where the pari mutuel turnover is more than One Hundred Thousand Dollars (\$100,000.00) for any such

meet, thirty (30) per cent of the ten (10) per cent deducted by such licensee from the contributions of purchasers of certificates on horses to run first, second, and/or third in any given race. The licensee is hereby constituted trustee for the State of Texas to collect and remit the sums provided herein, and such sums shall constitute and be a trust fund belonging to the State of Texas. Failure to any person to collect and remit any sums prescribed herein in accordance herewith shall constitute the offense of embezzlement, and upon conviction thereof, such person shall be punishable therefor as the law prescribes.

All laws or parts of laws in conflict herewith are expressly repealed.

Senator Rawlings moved the adoption of Committee Amendment No. 16.

Amend Committee Amendment No. 16 by adding a new Section as follows to said amendment:

"All race tracks in this State shall have a contrivance or machine through which all pari mutuel tickets shall be purchased, the failure to purchase such contrivance or machine the operator or operators of such track shall be fined \$500.00 per day for each and every day the track is operated without said machines or contrivances."

WESTERFELD.

Read.

Motion to Table.

Senator Rawlings moved to table the amendment to Committee Amendment No. 16.

The motion to table prevailed by the following vote:

Yeas—18.

Blackert.	Rawlings.
Burns.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Van Zandt.
Neal.	Woodruff.

Nays—9.

Beck.	Nelson.
Collie.	Oneal.
Hill.	Pace.

Poage.
Sulak.

Westerfeld.

Absent.

Martin.

Absent—Excused.

DeBerry.

(Pair Recorded.)

Senator Moore (present) who would vote nay, with Senator Fellbaum (absent) who would vote yea.

Committee Amendment No. 16 was adopted by viva voce vote.

Senate Bill No. 27.

Senator Poage received unanimous consent to suspend the regular order of business and sent up the following bill:

By Senators Poage, Oneal, Woodruff, Sanderford, Hornsby, Nelson, Isbell, Rawlings, Neal, Davis, Collie, Westerfeld, Martin, Beck, Hill, Cotten, Van Zandt, Sulak, Hopkins, Shivers, Moore, Holbrook, Blackert, Regan, Small and Stone:

S. B. No. 27, A bill to be entitled "An Act making an appropriation out of the general revenue funds of the State of Texas for the Brazos River Conservation and Reclamation District, to aid said district to start immediate work on its program of construction; said funds to be returned to the State of Texas, and declaring an emergency."

Read and referred to the Committee on Finance.

Senate Bill No. 28.

Senator Regan received unanimous consent to suspend the regular order of business and sent up the following bill:

By Senator Regan:

S. B. No. 28, A bill to be entitled "An Act to amend Chapter 3 of Title 42 of the Revised Civil Statutes of Texas of 1925 by adding thereto a new article to be known as Article 2033-B, providing for the service of citation or other civil processes, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

House Bill No. 46.

On motion of Senator Poage H. B. No. 46, with pending amendments, was laid on the table subject to call.

Senate Bill No. 27.

Senator Redditt received unanimous consent to send up the committee report on S. B. No. 27.

Senator Poage received unanimous consent to take up out of order S. B. No. 27.

The Chair laid before the Senate the following bill:

By Senator Poage:

S. B. No. 27, A bill to be entitled "An Act making an appropriation out of the general revenue funds of the State of Texas for the Brazos River Conservation and Reclamation District, to aid said district to start immediate work on its program of construction; said funds to be returned to the State of Texas, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

On motion of Senator Poage the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 27 was put on its second reading by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Nelson.	

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

Amend S. B. No. 27 by adding a new Section to be numbered —

There is hereby appropriated out of the General Fund of the State Treasury the sum of \$25,000 to the Sabine-Neches Reclamation Conservation District for the purpose of enabling said district to prepare maps, surveys, surveying expenses and all other necessary and incidental expenses to carry out the purposes of which said Act was created.

Burns, Hopkins, Redditt, Shivers, Pace, Cotten, Beck and Neal.

Read.

Motion to Table.

Senator Van Zandt moved to table the amendment.

Point of Order.

Senator Davis raised the point of order that the amendment was not germane to the bill.

The Chair overruled the point of order.

The motion to table prevailed by the following vote:

Yeas—16.

Blackert.	Poage.
Collie.	Rawlings.
Davis.	Sanderford.
Hornsby.	Small.
Martin.	Sulak.
Neal.	Van Zandt.
Nelson.	Westerfeld.
Oneal.	Woodruff.

Nays—12.

Beck.	Isbell.
Burns.	Moore.
Cotten.	Pace.
Hill.	Redditt.
Holbrook.	Shivers.
Hopkins.	Stone.

Absent.

Regan.

Absent—Excused.

DeBerry.	Fellbaum.
----------	-----------

The bill was read second time and passed to engrossment.

Senator Poage moved to suspend the constitutional rule requiring bills to be read on three several days so as to put S. B. No. 27 on its third reading and final passage.

The motion lost, not having received the required four-fifths vote.

Yeas—23.

Beck.	Poage.
Blackert.	Rawlings.
Collie.	Regan.
Davis.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Nelson.	Woodruff.
Oneal.	

Nays—5.

Burns.	Pace.
Cotten.	Redditt.
Isbell.	

Present—Not Voting.

Hill.

Absent—Excused.

DeBerry. Fellbaum.

Senate Bill No. 29.

Senator Holbrook received unanimous consent to suspend the regular order of business and sent up the following bill:

By Senator Holbrook:

S. B. No. 29, A bill to be entitled "An Act reappropriating an appropriation of Seventy-five Thousand (\$75,000.00) Dollars made by Acts of the Regular Session, Forty-fourth Legislature, Chapter 352, page 868, for the purpose of remodeling and re-equipping hospital building at the State Hospital for Crippled and Deformed Children at Galveston, Texas; provided that said appropriation shall be used for the purpose of erecting a new hospital building; appropriating an additional Thirty-five Thousand (\$35,000.00) Dollars for such purpose; and declaring an emergency."

Read and referred to the Committee on Finance.

House Bill No. 46.

H. B. No. 46 was called up from the table.

Committee Amendment No. 15.

Senator Oneal called up Committee Amendment No. 15 and sent up

the following substitute for the amendment:

Amend H. B. No. 46 by striking out all of Section 16 and adding in lieu thereof the following:

"Sec. 16. All taxes of every nature heretofore or hereafter levied and that shall be collected hereafter upon spirituous and vinous liquor, including permit and license fees authorizing the manufacture, sale and transportation of such liquors, shall be, and the same are hereby divided and allocated as follows: One-fourth ($\frac{1}{4}$ th) to the available school fund and three-fourths ($\frac{3}{4}$ ths) to the Texas Old Age Assistance Fund. As and when such taxes and fees are paid into the State Treasury, the Treasurer shall credit the funds as herein provided."

ONEAL,
SMALL.

Read and adopted.

Committee Amendment No. 16 as substituted was adopted by viva voce vote.

Committee Amendment No. 17.

Amend Section 12 of H. B. No. 46 by inserting before the word "gas" each time it appears in said Section, the word "sweet" and by inserting the words "as sweet gas is now defined by law" after the word "gas" in the fourth line of Section 12 and by striking the words "and/or casing head" each time they appear in said Section.

Senator Davis sent up the following substitute for Committee Amendment No. 17, H. B. No. 46:

Amend Section 12 of H. B. No. 46 by striking out the words "and/or casinghead" each time they appear in said Section; and by striking out lines 1, 2, 3, 4, 5, 6, 7 and 8 on page 7 and inserting in lieu thereof the following:

"An annual occupation tax equivalent to one-eighth cent per thousand cubic feet of natural gas produced within this State or sold if imported into this State as and when produced within this State, or upon the first sale within this State. Notwithstanding the provisions of Section 1 of this Act, providing that the taxes levied in this bill shall be in addition to all other taxes heretofore levied by the State of Texas,

this tax levied upon the production and sale of natural gas shall be in lieu of the gross production tax on natural gas levied under Section 3, Chapter 73, Acts of the 42nd Legislature, Article 7047-b, Revised Statutes of 1925, as amended, and the gross production tax levied under the Section and Article last mentioned is hereby expressly repealed.

DAVIS.

Read.

Motion to Recess.

Senator Hill at 5:12 o'clock p. m. moved that the Senate recess until 10 o'clock a. m. Friday.

Motion pending.

Senator Hill yielded to Senator Shivers.

House Bill No. 26.

Senator Shivers sent up the Conference Committee report on H. B. No. 26, which was laid on the table subject to call.

Recess.

The motion to recess prevailed by viva voce vote.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Nov. 6, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 11 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, Nov. 6, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. C. R. No. 9 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, Nov. 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 21

carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, Nov. 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 12 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, Nov. 6, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance to whom was referred

S. B. No. 18, A bill to be entitled "An Act amending Chapter 5, Acts of the Second Called Session of the Forty-third Legislature, as amended by Chapter 23 of the Acts of the Regular Session of the Forty-fourth Legislature, and by Chapter 204, Acts of the Regular Session of the Forty-fourth Legislature, by making more specific the application of the Act to the building of libraries, gymnasias, athletic buildings and stadia; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass and be not printed.

REDDITT, Chairman.

Committee Room,

Austin, Texas, Nov. 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance to whom was referred

S. B. No. 27, A bill to be entitled "An Act making an appropriation out of the general revenue funds of the State of Texas for the Brazos River Conservation and Reclamation District, to aid said District to start immediate work on its program of construction; said funds to be returned to the State of Texas; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass and be not printed.

REDDITT, Chairman.

Committee Room,

Austin, Texas, Nov. 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 20, A bill to be entitled "An Act validating all elections, election orders, election proceedings, affidavits and city ordinances annexing adjacent territory to or extending and prescribing the corporate limits of any incorporated city incorporated and functioning under the General Laws of Texas under commission form of government; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

RAWLINGS, Chairman.

Committee Room,

Austin, Texas, Nov. 6, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 66, A bill to be entitled "An Act to provide for payment of the salaries of the Ex-Officio County Superintendents from the County Available School Fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass, and be not printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, Nov. 6, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 9, A bill to be entitled "An Act to amend Article 1645 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, providing for the appointment of County Auditors in certain counties of Texas and providing for their salaries and the method of payment of same; providing that if any part of this Act is held to be unconstitutional or

invalid, the same shall not affect the remaining portion of this Act; repealing all laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that same do pass, and be not printed."

NEAL, Vice-Chairman.

Committee Room,

Austin, Texas, Nov. 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 24,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SMALL, Chairman.

Minutes of Committee Meetings.

Minutes of Committee on State Affairs, held November 1, 1935.

Called Meeting.

Present: Pace, Blackert, Collie, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Isbell, Martin, Moore, Oneal, Rawlings, Regan, Shivers, Stone, Sulak.

Absent — excused: Fellbaum, Small, Redditt.

S. C. R. No. 4, was reported favorably with the recommendation that it do pass, and be not printed by a viva voce vote.

H. C. R. No. 4, was reported favorably with the recommendation that it do pass, and be not printed by a viva voce vote.

S. C. R. No. 5, was reported favorably with the recommendation that it do pass and be not printed by a viva voce vote.

H. B. No. 67, was reported favorably with the recommendation that it do pass and be not printed by a viva voce vote.

S. B. No. 11, was reported favorably with the recommendation that it do pass and be not printed, since an advance printing had been had thereon, by the following vote:

Yeas: Blackert, Hopkins, Moore, Rawlings, Regan, Shivers, Stone, Sulak.

Nays: Collic, Cotten, DeBerry, Hornsby, Isbell, Oneal.

S. B. No. 12, was reported favorably with the recommendation that it do pass and be not printed, since the same had been mimeographed, by the following vote:

Yeas: Blackert, Hopkins, Moore, Rawlings, Regan, Shivers, Stone, Sulak.

Nays: Collie, Cotten, DeBerry, Hornsby, Isbell, Oneal.

S. B. No. 14, was reported favorably with the recommendation that it do pass and be not printed, since an advance printing had been had thereon by the following vote:

Yeas: Blackert, Hopkins, Moore, Rawlings, Regan, Shivers, Stone, Sulak.

Nays: Collie, Cotten, DeBerry, Hornsby, Isbell, Oneal.

S. B. No. 16, was reported favorably with the recommendation that it do pass and be not printed, since an advance printing had been had thereon, by the following vote:

Yeas: Blackert, Hopkins, Moore, Rawlings, Regan, Shivers, Stone, Sulak.

Nays: Collie, Cotten, DeBerry, Hornsby, Isbell, Oneal.

S. B. No. 17, was reported favorably with the recommendation that it do pass and be printed, by the following vote:

Yeas: Blackert, Hopkins, Moore, Rawlings, Regan, Shivers, Stone, Sulak.

Nays: Collie, Cotten, DeBerry, Hornsby, Isbell, Oneal.

S. B. No. 13, was reported with the recommendation that it do not pass by the following vote:

Yeas: Blackert, Holbrook, Hopkins, Moore, Rawlings, Regan, Shivers, Stone, Sulak.

Nays: Collie, Cotten, DeBerry, Hornsby, Isbell, Oneal.

Minority report was filed.

ELIZABETH SUITER,
Secretary.

Minutes of Committee on State
Affairs, Held Nov. 4, 1935.

Called Meeting.

Present: Pace, Blackert, Collie, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Isbell, Martin, Moore, Oneal, Rawlings, Redditt, Regan, Shivers, Stone and Sulak.

Absent—Excused: Fellbaum and Small.

H. B. No. 46 was discussed, but no action taken.

ELIZABETH SUITER, Secretary.

Minutes of Committee on State
Affairs, Held Nov. 5, 1935.

Called Meeting.

Present: Pace, Blackert, Collie, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Isbell, Martin, Moore, Oneal, Rawlings, Regan, Redditt, Shivers, Stone and Sulak.

Absent—Excused: Fellbaum and Small.

H. B. No. 46 was reported favorably with the recommendation that it do pass and be printed with Committee Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 by a viva voce vote.

H. C. R. No. 7 was reported favorably with the recommendation that it do pass and be not printed by a viva voce vote.

H. C. R. No. 8 was reported favorably with the recommendation that it do pass and be not printed by a viva voce vote.

H. B. No. 93 was reported favorably with the recommendation that it do pass and be not printed by a viva voce vote.

ELIZABETH SUITER, Secretary

ELEVENTH DAY (Cont'd).

Senate Chamber,
Austin, Texas,
November 8, 1935.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

House Bill No. 46.

Pending business was H. B. No. 46.

S. C. R. No. 13.

Senator Burns received unanimous consent to suspend the regular order of business and sent up the following resolution:

Whereas, Hon. Paul V. McNutt, Governor of the great State of Indiana, will be in Austin on Tuesday, November 12, 1935; and

Whereas, the said Governor McNutt was formerly Dean of the Law School of the University of Indiana, the past president of the American Legion, is a great orator and one of the leaders in the Democratic councils of the Nation: